

**UNITED STATES DISTRICT AND BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO**

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Cameron S. Burke
Court Executive/Clerk of Court

November 17, 2003

MEMORANDUM

TO: Members of the Bankruptcy Bar

FROM: Cameron Burke

SUBJECT: Privacy Related Changes effective December 1, 2003

The amended Federal Rules of Bankruptcy Procedure become effective on December 1, 2003. Specifically, Rule 1005 has been amended so that only the last four digits of the debtor's Social Security number will be shown in the bankruptcy petition filed with the Court. Rule 1007 has been amended to require that the debtor submit a separate statement setting out the debtor's Social Security number. This statement will not be filed in the case file nor displayed in the Court's electronic record of the case file. Finally, Rule 2002 has been amended to provide that the debtor, creditor, case trustee and U.S. Trustee receive the debtor's full Social Security number on the 341 Notice.

The following Official Bankruptcy Forms have also been amended to require only the last four digits of the debtor's Social Security and financial account numbers to conform with the amendments to the Rules discussed above: 1, 3, 5, 6, 7, 8, 9, 10, 16A, and 16C. A new Official Form 21, entitled Statement of Social Security Number, has also been created to comply with amended Rule 1007. Counsel should be sure that they are using the newest and correct version of these forms for all bankruptcy documents filed **on or after December 1, 2003**. Copies of the new forms, and the provisions of the amended Rules, are available for review and download on the Court's web site. In addition, the Court understands that the new version of the Official Forms are readily available from most form vendors.

These changes were prompted by the E-Government Act of 2002, whose purpose was to restrict access to personal information. Under these changes, it is the responsibility of counsel and the parties to redact personal information from all documents filed with the court.

In addition to the form and Rule changes, counsel and parties shall refrain from including, or shall partially redact, the following personal identifiers from all pleadings filed with the Bankruptcy Court:

- a Social Security Numbers. If an individual's social security number must be included in a pleading, only the last four digits of that number should be used.

- b. Names of Minor Children. If the involvement of a minor child must be mentioned, only the initials of that child should be used. On Schedule I of Official Bankruptcy Form 6, list the relationship and age of the debtor's dependent's (i.e. son, age 6)
- c. Dates of Birth. If an individual's date of birth must be included in a pleading, only the year should be used. On Schedule I of Official Bankruptcy Form 6, list the age of the each of the debtor's dependents.
- d. Financial Account Numbers. If financial account numbers are relevant, only the last four digits of these numbers should be used. On Schedules D, E and F of Official Bankruptcy Form 6, debtors, if they so choose, may include their full account numbers to assist the trustee and creditors.

It is the responsibility of counsel to ensure that any forms and pleadings filed in bankruptcy cases comply with the changes to rules and forms. The clerks will not review each pleading to ensure compliance.

A general order adopting these changes can be viewed on the Court's web site. Thanks for your consideration in this matter.